

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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KENNETH DOWNING, Individually and on  
behalf of All Others Similarly Situated,

Case No. 1:24-cv-03529-CM

Plaintiff,

-vs.-

ANAVEX LIFE SCIENCES CORPORATION  
and CHRISTOPHER U. MISSLING,

Defendants.

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**NOTICE OF DEFENDANTS' MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, the Declaration of Theodore L. Kornobis and accompanying exhibits, and all other papers and proceedings herein, Defendants Anavex Life Sciences Corporation and Christopher U. Missling (together "Defendants") will move this Court, before the Honorable Colleen McMahon, United States District Judge for the Southern District of New York, on a date and time to be set by the Court, for an Order dismissing the Complaint (Dkt. No. 1) with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The basis for the motion is set forth in the accompanying memorandum of law.

Dated: August 23, 2024

Respectfully submitted,

/s/ Theodore L. Kornobis

Theodore L. Kornobis  
Stephen G. Topetzes (*pro hac vice* pending)  
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Corporation and Christopher U. Missling*